

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 1ST FEBRUARY 2007 / 12TH MAGHA 1928

WP(C).No. 3556 of 2007(W)

PETITIONER:

**FATHIMA SHAMIN M., D/O. USMAN,
"SHAM'S", OZHUKOOR P.O., MALAPPURAM DISTRICT,
KERALA, REPRESENTED BY GUARDIAN MOTHER,
SHAHANAS BANU, W/O. USMAN, -DO- -DO-.**

**BY ADV. SRI.T.R.RAVI
SRIC.M.MOHAMMED IQUABAL**

RESPONDENTS:

**1. THE DEPUTY SECRETARY (AIPMT),
CENTRAL BOARD OF SECONDARY EDUCATION,
"SHIKSHA KENDRA", 2, COMMUNITY CENTRE,
PREET VIHAR, DELHI.**

**2. ASST.SECRETARY (AIPMT),
CENTRAL BOARD OF SECONDARY EDUCATION,
"SHIKSHA KENDRA", 2, COMMUNITY CENTRE,
PREET VIHAR, DELHI.**

BY ADV. SRI. DEVAN RAMACHANDRAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01/02/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

THOTTATHIL B.RADHAKRISHNAN, J

W.P(C).No.3556 OF 2007

Dated this the 1st day of February, 2007

JUDGMENT

Petitioner is an aspirant to sit in the All India Pre-Medical/Pre-dental Entrance Examinations, 2007 being conducted by the CBSE. The information bulletin and application form issued by the CBSE in page (2) in bold capital letters have issued important instructions. The 7th among those important instructions is that the application form is to be dispatched by registered/speed post only, to the address given. The petitioner, however, rightly sent her application on 11.11.2006, while the last date for receipt of application is 20.11.2006. She sent that by courier. The Board was, therefore, not obliged to receive it. According to the petitioner, later on, the courier service man sent the application again by registered post. That was obviously out of time, going by the date prescribed as last date, which is 20.11.2006.

2. It is urged on behalf of the petitioner that sending a

material by courier service was not a ground on which the application should have been rejected. Having regard to the large volume of applications that would be flowing into CBSE in relation to the examinations and because there should be uniformity in these matters, it is most appropriate that the terms of the information bulletin is treated as the only instrument that can guide the parties.

Under such circumstances, CBSE cannot be compelled to act on the application of the petitioner which did not reach the appropriate office before the last date of receipt of application, by registered post. I do not find any ground to come to the aid of the petitioner. The writ petition fails. The same is accordingly dismissed.

THOTTATHIL B.RADHAKRISHNAN
Judge

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